

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RUSS CAPPELLO,

Plaintiff,

v.

FIRST NATIONAL OF NEBRASKA,
Inc.,

Defendant.

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8:06CV596

ORDER OF DISMISSAL

The matter before the court is the parties' joint Stipulation for Dismissal with Prejudice, Filing No. 52. The court finds that this matter should be dismissed with prejudice.

IT IS THEREFORE ORDERED that, pursuant to Fed. R. Civ. P. 41(a)(1), the plaintiff's cause of action against the defendant is hereby dismissed in its entirety, with prejudice, and with the parties to be responsible for their own costs and attorney fees.

DATED this 9th day of May, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge